

1
2
3
4
5
6
7
8 DEXTER LAWRENCE GRIFFIN,
9 Petitioner,
10 v.
11 BRANDON PRICE,
12 Respondent.
13
14

15 Case No. 21-07646 EJD (PR)
16 **ORDER OF TRANSER**
17

18 Petitioner, a state patient at the Coalinga State Hospital, has filed a pro se petition
19 for a writ of habeas corpus under 28 U.S.C. § 2254, challenging the retroactive application
20 of the “SVPA” (Sexually Violent Predator Act). Dkt. No. 1.

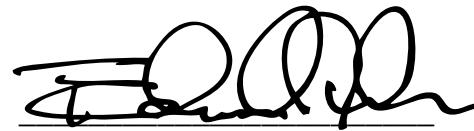
21 Venue for a habeas action is proper in either the district of confinement or the
22 district of conviction, 28 U.S.C. § 2241(d). Federal courts in California traditionally have
23 chosen to hear petitions challenging a conviction or sentence in the district of conviction or
24 sentencing. See Habeas L.R. 2254-3(b)(1); Dannenberg v. Ingle, 831 F. Supp. 767, 768
25 (N.D. Cal. 1993); Laue v. Nelson, 279 F. Supp. 265, 266 (N.D. Cal. 1968). But if the
26 petition challenges the manner in which a sentence is being executed, e.g., if it involves
27 parole or time credits claims, the district of confinement is the preferable forum. See
28 Habeas L.R. 2254-3(b)(2); Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989).

1 Petitioner was convicted in Sacramento County which lies within the Eastern
2 District of California. See 28 U.S.C. § 84(b). Furthermore, Petitioner is currently
3 confined at Coalinga State Hospital, Dkt. No. 1 at 1, in Fresno County which is also within
4 the Eastern District. Id. Therefore, the venue for this action is in that district and not in
5 this one. See id.; Habeas L.R. 2254-3(a)(1). Accordingly, this case is TRANSFERRED to
6 the United States District Court for the Eastern District of California. See 28 U.S.C. §
7 1406(a); Habeas L.R. 2254-3(b)(1).

8 The Clerk shall terminate all pending motions and transfer the entire file to the
9 Eastern District of California.

10 **IT IS SO ORDERED.**

11 **Dated:** 10/8/2021



12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
EDWARD J. DAVILA
United States District Judge